

State Water Resources Control Board

Division of Drinking Water

January 7, 2019
Certified Mail/Return
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Butte City Community Service District
P.O. Box 141
Butte City, CA 95920

Attention: Joe Regoli, Board Chair

Subject: Public Water System No. 1100711 – Citation No. 21-18C-040 for Lead and Copper Rule monitoring violation.

It has come to our attention that the Butte City Community S.D. water system did not monitor and report lead and copper samples in the year 2018, according to the Lead and Copper Rule (LCR). Consequently, the Division of Drinking Water has issued the enclosed Citation for Noncompliance (Citation) with Title 22 California Code of Regulations, Sections 64675 and 64690.

Please review the enclosed Citation and note directives for corrective action and public notification.

Any person who is aggrieved by an order or decision issued by the Division, may file a petition with the State Water Board for reconsideration of the order or decision. Petitions must be received by the State Board within 30 days of the issuance of the order or decision. The date of issuance is the date when the Division mails a copy of the order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m.

For more Information regarding filing petitions, visit the following website:
http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

Note that Section 116577 of the California Safe Drinking Water Act provides for the Division to be reimbursed by the Water System for costs incurred for preparing and issuing a citation. In accordance with Section 116577, the Water System will be billed for the preparation and issuance of this citation.

If you have any questions, please call Scott Small at (530) 224-3252 or contact me directly at (530) 224-4861.

A handwritten signature in black ink, appearing to read "R. Crenshaw", with a stylized flourish at the end.

Reese B. Crenshaw, P.E.
Valley District Engineer
DRINKING WATER FIELD
OPERATIONS BRANCH

Enclosures

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Public Water System: Butte City Community Service District

Water System No.: 1100711

To: Butte City Community Service District
Attn: Joe Regoli, Board Chair
P.O. Box 141
Butte City, CA 95920

Issued: January 7, 2019
VIA CERTIFIED MAIL

CITATION NO. 21-18C-040 FOR NONCOMPLIANCE
with Title 22 California Code of Regulations
Sections 64675 and 64690

Section 116650 of the California Health and Safety Code (CHSC) authorizes the issuance of a citation for failure to comply with a requirement of the California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit, or order issued thereunder.

The State Water Resources Control Board, acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division,



1 hereby issues a citation to Butte City C.S.D. for failure to comply with Sections 64675
2 and 64690, Title 22, of the California Code of Regulations (CCR).

3
4 **STATEMENT OF FACTS**

5 The Butte City C.S.D. (Water System) is classified as a community water system
6 serving approximately 75 people. Because the Water System meets a reduced lead
7 and copper sampling frequency, it is required to collect five (5) lead and copper
8 samples every three years according to Table 64675-A and section 64675.5 of the
9 CCR. It has come to the Division's attention that the Water System failed to comply
10 with Citation No. 21-17C-020 (issued 5/30/17), Directive No. 2, which directed the
11 Water System to perform lead and copper sampling in 2017, 2018, AND 2019. This
12 Citation was a result of the Water System's failure to perform lead and copper
13 sampling as prescribed in a previous Citation (No. 21-15C-005), issued 1/22/15 for a
14 2014 LCR monitoring violation (missed sampling). The last samples submitted to the
15 Division were taken in July 2017.

16
17 **DETERMINATIONS**

18 The Division has determined that the Water System violated Section 64675.5(a)(1)
19 and Section 64690.1, Title 22, of the CCR, in that the Water System failed to collect
20 and report samples in 2014, 2015, and 2018.

21
22 **DIRECTIVES**

23 The Water System is hereby directed to take the following actions:

- 24
25 1. Comply with lead and copper monitoring regulations specified in Section
26 64675.5, Title 22, of the CCR in all future monitoring periods.

- 1 2. Conduct lead and copper monitoring from customer's taps in June,
2 July, August, or September of 2019. Annual sampling will be required
3 during the period from June 1st – September 30th of each year through
4 the year 2021 to account for all previously missed sampling periods
5 (2014, 2015, and 2018). Thereafter, assuming all results remain below
6 the Action Level, triennial sampling may resume. Samples shall be
7 collected in accordance with the Lead and Copper Rule Sampling per Title
8 22, Section 64677. The analytical results must be reported to the Division
9 by the 10th day of the month following the month in which the analysis was
10 completed.
- 11
- 12 3. The Water System shall provide public notification (by inclusion in the **2018**
13 **Consumer Confidence Report**) of the failure to sample lead and copper,
14 as required by the Lead and Copper regulations.
- 15

16 All documents required by this Citation to be submitted to the Division shall be
17 submitted to the following address:

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19 Reese B. Crenshaw, P. E.
20 Valley District Engineer
21 Drinking Water Field Operations
22 Division of Drinking Water
23 State Water Resources Control Board
24 364 Knollcrest Drive, Suite 101
25 Redding, CA 96002
26 (530) 224-4800

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2 Nothing in this Citation relieves the Water System of its obligation to meet the
3 requirements of Health and Safety Code, Division 104, Part 12, Chapter 4 (California
4 Safe Drinking Water Act), or any regulation, permit, standard or order issued or
5 adopted thereunder.

6
7 The Division reserves the right to make such modifications to this Citation, as it may
8 deem necessary to protect public health and safety. Such modifications may be
9 issued as amendments to this Citation and shall be effective upon issuance.

10 11 **FURTHER ENFORCEMENT ACTION**

12 The California SDWA authorizes the State Board to: issue a citation with assessment
13 of administrative penalties to a public water system for violation or continued violation
14 of the requirements of the California SDWA or any permit, regulation, permit or order
15 issued or adopted thereunder including, but not limited to, failure to correct a violation
16 identified in a citation or compliance order. The California SDWA also authorizes the
17 State Board to take action to suspend or revoke a permit that has been issued to a
18 public water system if the system has violated applicable law or regulations or has
19 failed to comply with an order of the State Board; and to petition the superior court to
20 take various enforcement measures against a public water system that has failed to
21 comply with violates an order of the State Board. The State Board does not waive any
22 further enforcement action by issuance of this citation.

23 24 **PARTIES BOUND**

25 This Citation shall apply to and be binding upon the Water System, its officers,
26 directors, agents, employees, contractors, successors, and assignees.



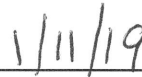
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SEVERABILITY

The directives of this Citation are severable, and the Water System shall comply with each and every provision thereof notwithstanding the effectiveness of any other provision.



Reese B. Crenshaw, P.E., District Engineer
Valley District
Drinking Water Field Operations Branch



Date

